

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA

v.

TONY FRANKLIN

)
)
)
)
)

**No. 3:08-CR-00018
JUDGE TRAUGER**

ORDER SUBSTITUTING RESTITUTION RECIPIENT

Judgment was entered as to the above-named defendant Tony Franklin on January 29, 2008 (Docket Entry No. 3-2),¹ wherein restitution in the amount of \$39,647.23 was ordered to be paid to Centers for Medicare and Medicaid Services.

Based upon recent information provided by the Clerk's Office, it appears that Cahaba Government Benefit Administrators, LLC (Cahaba GBA) now administers Medicare health insurance for the Centers for Medicare and Medicaid Services for Part A and Part B claims in Alabama, Georgia, and Tennessee and Part B in Mississippi. Accordingly, the aforementioned Judgment in this case is hereby amended to reflect that the name of the restitution recipient is Cahaba GBA, and all future payments should be mailed payable to Cahaba GBA Part B Financial. The restitution balance of \$34,467.43 shall be paid to Cahaba GBA Part B Financial.

The Court's authority to substitute the victim's name in the judgment is drawn from the All Writs Act (28 U.S.C. §1651 (a)), which expressly authorizes a federal court to issue such orders "as may be necessary or appropriate to effectuate and prevent the frustration of orders it has previously issued in its exercise of jurisdiction otherwise obtained."

IT IS SO ORDERED.



ALETA A. TRAUGER
UNITED STATES DISTRICT JUDGE

¹Judgment was signed by the Honorable James D. Todd, United States District Judge, and entered in the United States District Court for the Western District of Tennessee, Eastern Division in Case No. 1:05CR10108-001. The case was transferred to this district on January 17, 2008 (Docket Entry No. 1).